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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

**QUILLIE L. HARVEY, Jr.,**

Plaintiff,

v.

**ARNOLD LAFFERTY, et al.,**

Defendants.

Case No. C 07-1244 CRB

**STATEMENT NOTING  
DEFENDANT YOUNCE'S  
DEATH AND REQUEST TO  
DISMISS HIM FROM THIS  
ACTION**

The Office of the Attorney General was notified that Defendant Younce died on September 1, 2008, during the pendency of this action. Counsel for Defendants now seeks to note Defendant Younce's death on the record in this action.

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Signed: Sept. 26, 2008



Stmt. Noting Def. Younce's Death; Req. to Dismiss Def. Younce

*Q. Harvey v. Schwarzenegger, et al.*  
C 07-1244 CRB

1 Defendants moved this Court to screen Plaintiff's Amended Complaint under 28 U.S.C.  
2 Section 1915A. (Docket No. 40.) Defendants now respectfully request that upon screening the  
3 Amended Complaint, this Court dismiss Defendant Younce because Plaintiff fails to state a  
4 claim against him for deliberate indifference to serious medical needs. (See Docket Nos. 11 at 7;  
5 38 at 4; and 39 at 10 ¶¶ 40-41.) Thus the Court should dismiss Defendant Younce from this  
6 action.

7 Dated: September 25, 2008

8 Respectfully submitted,

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